IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4054 OF 2007

Uniworth Appraels Ltd. ....Petitioner

V/s.

Mumbai Labour Union & Anr. ....Respondents

Mr.Kiran S. Bapat i/b Desai & Desai for the Petitioner

Ms.Nita Karnik for Respondent No.1.

CORAM : S.J. VAZIFDAR, J.
DATED : 6TH SEPTEMBER, 2007.

P.C. :

1. No case for interference with the order of the Labour Court is made out.

2. Firstly, it was not contended before the Labour Court that there is a bar to payment of the workers dues in view of the proceedings before the B.I.F.R. As if evident from paragraph 3 of the impugned order, the proceedings were referred to only to explain why the Petitioner was allegedly financially unable to make payments of the wages.

3. Secondly, in view of the judgment of this Court in *APS Star Industries Ltd. & Ors. vs. Star Textile Engineering Employees Union and Ors., 1997 I CLR 473,* it is doubtful if the provisions of the S.I.C.Act would bar payment of the workers dues.

4. In the circumstances, the Writ Petition is dismissed.